

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of July 30, 2008 issued in the present RCE application, the Applicant respectfully submits the accompanying Amendment of the claims and the below Remarks.

Regarding Amendment

In the Amendment:

independent claim 1 is amended to specify that the cartridge has an ink refill port for removably receiving an ink refill unit which has a refill authentication device, and that the terminals of the verification circuit contact corresponding terminals located upon the refill authentication device upon the refill unit being received by the cartridge when the cartridge is in the recess such that the refill unit can also be authenticated. Support for this amendment can be found at page 11, line 23-page 12, line 6 and in Figs. 1, 26 and 37 of the present application;

dependent claims 2-5 are unchanged; and
independent claim 6 is cancelled.

It is respectfully submitted that the Amendment does not add any new matter to the present application, nor any new issues to the prosecution of the present application.

Regarding Double Patenting Rejection

It is respectfully submitted that the subject matter of amended independent claim 1 is patentable over claim 1 of copending Application No. 10/760,267, because claim 1 of Application No. 10/760,267 does not recite the refill unit and authentication of the refill unit authentication device as recited in amended independent claim 1.

Regarding 35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of amended independent claim 1, and claims 2-5 dependent therefrom, is not taught or suggested by any one or more of previously cited Cook, Bolash, Silverbrook '952 and Silverbrook '513, because none of these cited references teach or suggest a cradle authentication device which authenticates both a cartridge authentication device and a refill unit authentication device where this authentication is further authenticated by a verification circuit of the cradle, as is required by the claimed invention.

In particular, in the Examiner's rejection the Examiner considers the base ink reservoir of Cook as the "cradle" and the secondary ink reservoir as the "cartridge". Accordingly, Cook does not further teach suggest a refill unit nor authenticating such a refill unit.

It is respectfully submitted that the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

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